

**REMARKS**

Applicants have carefully reviewed the Application in light of the Final Office Action mailed August 8, 2005. At the time of the Final Office Action, Claims 31-39 were pending in the Application. Applicants respectfully request reconsideration of the pending claims and favorable action in this case.

**Sections 102 and 103 Rejections**

The Examiner rejects Claims 31-39 under 35 U.S.C. §102(a), as being anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,292,754 issued to Wagner Thomsen (hereinafter "*Thomsen*"). An application for a patent "shall have the same effect, as to such invention, as though filed on the date of the prior application, if filed before the patenting or abandonment of or termination of proceedings on the first application or on an application similarly entitled to the benefit of the filing date of the first application and if it contains or is amended to contain a specific reference to the earlier filed application." 35 U.S.C. §120. Applicants respectfully submit that the pending claims have a priority date prior to the effective date of *Thomsen*.

The present application is a continuation-in-part of U.S. Patent Application Serial No. 09/952,430 filed on September 14, 2001, which is a continuation-in-part of U.S. Patent Application No. 09/436,453 filed on November 8, 1999, which is incorporated by reference. "If the application is a continuation-in-part of an earlier U.S. application or international application, any claims in the new application not supported by the specification and claims of the parent application have an effective filing date equal to the filing date of the new application. Any claims which are fully supported under 35 U.S.C. §112 by the earlier parent application have the effective filing date of that earlier parent application." M.P.E.P. 706.02V(B). Therefore, the present application has an effective filing date (November 8, 1999) prior to the effective date of *Thomsen* (November 11, 1999). Accordingly, Applicants respectfully request a withdrawal of the rejections based on *Thomsen*, reconsideration of the pending claims, and favorable action in this case.

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**CONCLUSION**

Applicants have now made an earnest attempt to place this case in condition for immediate allowance. For the foregoing reasons and for all other reasons clear and apparent, Applicants respectfully request reconsideration and allowance of the pending claims.

Applicants submit herewith a check in the amount of \$120.00 to cover the one-month extension fee. If this is not correct, the Commissioner is hereby authorized to charge any fees or credit any overpayment to Deposit Account No. 02-0384 of Baker Botts, L.L.P.

If there are matters that can be discussed by telephone to advance prosecution of this application, Applicants invite the Examiner to contact their attorney, Barton E. Showalter, at (214) 953-6509.

Respectfully submitted,  
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